United Nations S/2016/86

Security Council

Distr.: General
28 January 2016

Original: English

Letter dated 27 January 2016 from the Chair of the Security Council Committee established pursuant to resolution 1540 (2004) addressed to the President of the Security Council

On behalf of the Security Council Committee established pursuant to resolution 1540 (2004), and with reference to paragraph 4 of Security Council resolution 1977 (2011), I have the honour to submit the fifteenth programme of work of the Committee, covering the period from 1 February 2016 to 31 January 2017 (see annex).

The Committee would appreciate it if the present letter and its annex were brought to the attention of the members of the Security Council and issued as a document of the Council.

(*Signed*) Román **Oyarzun Marchesi**
Chair
Security Council Committee established
pursuant to resolution 1540 (2004)

16-01218 (E) 180216

Please recycle

Annex

Programme of work of the Security Council Committee established pursuant to resolution 1540 (2004) for the period from 1 February 2016 to 31 January 2017

I. Introduction

1. The Security Council, in paragraph 4 of its resolution 1977 (2011), decided that the Security Council Committee established pursuant to resolution 1540 (2004) should submit an annual programme of work to the Council before the end of May each year. The fifteenth programme of work of the Committee covers the period from 1 February 2016 to 31 January 2017. The Committee has agreed on the following programme of work to fulfil its responsibilities under Council resolutions 1540 (2004), 1673 (2006), 1810 (2008) and 1977 (2011).

2. The Security Council, in paragraph 9 of its resolution 1977 (2011), decided that the Committee should continue to intensify its efforts to promote the full implementation by all States of resolution 1540 (2004) through its programme of work. This includes the compilation and general examination of information on the status of States' implementation of resolution 1540 (2004), in addition to States' efforts at outreach, dialogue, assistance and cooperation, and addresses in particular all aspects of paragraphs 1 to 3 of that resolution, encompassing accountability, physical protection, border controls and law enforcement efforts, and national export and trans-shipment controls, including controls on providing funds and services such as financing to such exports and trans-shipments that would contribute to proliferation. The programme of work also includes, as necessary, specific priorities for the Committee's work, taking into account its annual review on the implementation of resolution 1540 (2004), prepared with the assistance of the group of experts before the end of December each year.

3. The Committee will continue to work with Member States on the implementation of resolutions 1540 (2004), 1673 (2006), 1810 (2008) and 1977 (2011), guided by the principles of transparency, equal treatment, cooperation and consistency in its approach.

4. To implement the fifteenth programme of work more efficiently, the Committee will continue to operate a system of four working groups, open to all its members. Each working group has specific tasks relating to the programme of work, which are noted within each of the main sections below. Each working group will be chaired by a member of the Committee and support will be provided by the Secretariat and the Committee's group of experts. In addition, the Committee will publish a schedule for periodic meetings of all four working groups that strives to meet its objectives efficiently and promptly. Such a schedule will include periodic feedback from the four working groups.

5. All working group meetings will be open to and announced to all Council delegations. All meeting documents will be circulated to all Council delegations before meetings. The work will be organized in a manner that enables all delegations, regardless of size, to participate fully in all the activities of the working groups. The Committee will promote greater transparency by, where relevant, holding open meetings on those working group outcomes approved by the

Committee and by communicating those outcomes to national contact points. The Committee, in cooperation with the Office for Disarmament Affairs, the Department of Political Affairs and the Department of Public Information of the Secretariat, will also update its website regularly on the work of those groups.

II. 2016 Comprehensive review

6. The comprehensive review of resolution 1540 (2004) that is due to be submitted to the Security Council before December 2016 is a vital milestone in the history of the resolution. On 28 April 2015, the Committee adopted a modalities paper in which activities to be undertaken throughout 2016 to ensure a successful review were outlined (see enclosure). The paper and the activities set out therein should be considered in their entirety during the annual review on the implementation of resolution 1540 (2004) for 2016.

III. Tasks of the Committee and its four working groups

7. The Committee will focus its attention on, but not limit it to, the following main areas of work: (a) monitoring and national implementation; (b) assistance; (c) cooperation with international organizations and other relevant United Nations bodies, including the Security Council Committee pursuant to resolutions 1267 (1999), 1989 (2011) and 2253 (2015) concerning Islamic State in Iraq and the Levant (Da'esh), Al-Qaida and associated individuals, groups, undertakings and entities and the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism; and (d) transparency and media outreach. In addition, the Committee will consider issues relating to administration and resources. In each area of work, the Committee will accord priority to executing the plans for the second comprehensive review.

A. Monitoring and national implementation

8. The Committee will:

(a) Prepare a review of the implementation of resolution 1540 (2004) before 31 December 2016, in line with the requirements of paragraph 9 of resolution 1977 (2011), and address all aspects of resolution 1540 (2004), in particular all aspects of its paragraphs 1 to 3, including developing and maintaining efforts to implement the resolution in accordance with national legal authorities and legislation, and consistent with international law. The review should include a brief update on the status of implementation of the tasks contained in the current programme of work and, as necessary, specific priorities for the next programme of work. Trends in implementation should be analysed and insight and data regarding implementation activities by Member States should be provided;

(b) With the objective of achieving universal reporting as soon as possible, continue to strengthen efforts to encourage the remaining 17 Member States that have not yet submitted their first report to do so, including by engaging in dialogue with those States to highlight the importance of universal reporting and the assistance that is available and by assessing which practices have been most effective at stimulating national reporting; and continue to encourage Member States to submit additional information regarding implementation, seeking, as

appropriate, submissions that identify changes in existing information in a precise form and with supporting background information;

(c) Encourage the expansion and continued best use of the network of points of contact for resolution 1540 (2004), including by conducting the newly created training courses at the regional level for national points of contact, adapting the syllabus as appropriate to the regions involved;

(d) Following the completed revision of all matrices in 2015, continue to review all matrix information and formally consider how the format of those files and the process for updating them can be improved as input to the 2016 comprehensive review;

(e) Continue to encourage States, in line with paragraphs 7 and 12 of resolution 1977 (2011), to identify and voluntarily report effective national practices in implementing resolution 1540 (2004), and continue the practice of sharing compilations of effective best practice periodically;

(f) Encourage States, under paragraph 8 of resolution 1977 (2011), to prepare, on a voluntary basis, national implementation action plans, as appropriate, mapping out their priorities and plans for implementing the key provisions of resolution 1540 (2004), and to submit those plans to the Committee;

(g) Continue to raise awareness of those multilateral treaties and conventions that aim to prevent the proliferation of, or to eliminate, nuclear, chemical and biological weapons, and, in the context of paragraph 8 (a) of resolution 1540 (2004), to promote their universal adoption and full implementation and, where applicable, to promote their implementation by States that are parties to them;

(h) Continue to raise awareness of the relevant international legal instruments whose implementation would address obligations under resolution 1540 (2004), and, in the context of paragraph 8 (a) of resolution 1540 (2004), to promote their universal adoption and full implementation;

(i) As approved in 2015, hold a dedicated meeting of the Committee to analyse and review the issue of evolving proliferation threats, including, as appropriate, external speakers, with a view to having States generate best practice recommendations.

B. Assistance

9. The Committee will:

(a) Maintain an up-to-date list of requests for assistance by States and offers of assistance by States and international, regional and subregional organizations; create a public list of possible forms of assistance, including actual examples to illustrate methods of assistance; and maintain a regularly updated database of requests for and offers of assistance, and where these have been matched;

(b) Review requests, offers and related assistance programmes to develop more effective matching strategies, in particular to seek ways to improve the flow of information between all parties involved;

(c) Consider ways to better provide assistance, especially as a real-time response to requests made during dialogue with States, such as finding and using

additional resources, including, potentially, the use of the Trust Fund for Global and Regional Disarmament Activities;

(d) Continue to organize and participate in outreach activities by the Committee and its group of experts at the international, regional and subregional levels, while being prepared to emphasize and engage with regard to assistance programmes and to promote the sharing of experience, lessons learned and effective practices and being ready to facilitate offers of or requests for assistance;

(e) Work with Member States and international, regional and subregional organizations to help them to make more effective offers of or, for States (or groups of States), more effective requests for assistance, including in relation to how the requests fit into their implementation plans;

(f) Continue, where appropriate, to develop regional approaches to assistance needs and efforts to meet them;

(g) Provide an update on the status of assistance requests and offers to the Committee on a regular basis, no less frequently than every quarter.

C. Cooperation with international organizations and other relevant United Nations bodies

10. The Committee will:

(a) Continue to enhance its cooperation with international, regional and subregional organizations and other relevant United Nations bodies, and develop ways of operating with those organizations on a case-by-case basis, where appropriate programmatically reflecting the variation in each organization's capacity and mandate, including exchanges at the working level, briefings to and from the Committee and enhanced information-sharing arrangements on issues such as networks of points of contact, effective practices and assistance;

(b) Under paragraph 18 of resolution 1977 (2011), continue to encourage international, regional and subregional organizations to designate and provide a point of contact or coordinator for the implementation of resolution 1540 (2004), and maintain up-to-date information on such contacts;

(c) Maintain dialogue and information exchange with designated points of contact or coordinators on issues relating to their contribution to the implementation of resolution 1540 (2004);

(d) Where directly relevant to the goals of the Committee's programme of work, continue to participate in major events organized by international, regional and subregional organizations as an opportunity for dialogue with them and their points of contact or coordinators;

(e) Continue to explore opportunities for synergies with the related sanctions committees, their experts and monitoring teams, and, where appropriate, participate in joint visits and in joint direct interactions with States;

(f) Continue to participate in the joint briefings to the Security Council;

(g) As appropriate, expand both formal and informal working relationships with international non-proliferation mechanisms, including zones free of nuclear weapons or weapons of mass destruction, and work streams to implement decisions

of the Nuclear Security Summits, the International Atomic Energy Agency and its International Conference on Nuclear Security: Commitments and Actions, to be held in 2016, the Organization for the Prohibition of Chemical Weapons, the Implementation Support Unit for the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction and the non-proliferation aspect of the Global Health Security Agenda and other United Nations bodies and international, regional and subregional organizations, where applicable:

(i) To facilitate the sharing of information on effective practices and lessons learned, in addition to templates and guidance, including with a view to their incorporation into the compilation envisaged in paragraph 8 (e) above;

(ii) To identify assistance requirements and programmes whereby its work with international, regional and subregional organizations and other relevant United Nations bodies can focus on facilitating the activity of those organizations to remedy national implementation challenges, such as reconciling priorities, harmonizing approaches, facilitating advisory and drafting services and matching requests and offers of assistance, and to promote regional cooperation and communication on the implementation of the resolution;

(iii) To enhance information-sharing, coordination on visits to countries, within their respective mandates, technical assistance and other issues of relevance to the Committee and the Security Council Committee pursuant to resolutions 1267 (1999), 1989 (2011) and 2253 (2015) concerning Islamic State in Iraq and the Levant (Da'esh), Al-Qaida and associated individuals, groups, undertakings and entities and the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism, as appropriate.

D. Transparency and media outreach

11. The Committee will:

(a) Increase interaction on a regular basis with all States Members of the United Nations, including, where appropriate, through open meetings, as noted in paragraph 20 of resolution 1977 (2011), and by regularly updating its website;

(b) With input from the working group on monitoring and national implementation, post updated matrices approved by the Committee on the website, as appropriate, after allowing States to comment;

(c) Maintain the website as the main source of information and resources relating to resolution 1540 (2004), modernizing it in order to facilitate its use by Member States, Committee members, civil society and industry, among others, and regularly updating it with information that includes, but is not limited to:

(i) A calendar of outreach events and workshops already conducted and confirmed upcoming events, including information notes on such activities;

(ii) A similar list of relevant activities, where available, by States, international, regional and subregional organizations, the Security Council Committee pursuant to resolutions 1267 (1999), 1989 (2011) and 2253 (2015) concerning Islamic State in Iraq and the Levant (Da'esh), Al-Qaida and

associated individuals, groups, undertakings and entities, the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism and other United Nations bodies;

(iii) A list of frequently asked questions;

(d) Encourage States to promote dialogue and cooperation, including, where appropriate, with civil society and academia, to address the threat posed by illicit trafficking in nuclear, chemical or biological weapons and their means of delivery, and related materials;

(e) Encourage States to develop appropriate ways to work with and inform industry regarding its obligations under national laws in line with paragraph 8 (d) of resolution 1540 (2004), including to support the conduct of regional meetings with industry, in particular in 2016;

(f) Consider and seize opportunities, as appropriate, for direct interaction, with the consent of the States concerned, with relevant industries and industry groups, academia and civil society;

(g) Continue to increase efforts to raise awareness among parliamentarians and other high-level decision makers, for example by participating in and supporting activities directly related to the implementation of resolution 1540 (2004) by the Inter-Parliamentary Union;

(h) In line with paragraphs 5 (b) and 22 (d) of resolution 1977 (2011), consider ways to better utilize and maintain expertise, including, in particular, that of former members of the group of experts, that could be made available for specific missions and assistance needs regarding the implementation of resolution 1540 (2004);

(i) Continue to brief the Security Council, either jointly with the Security Council Committee pursuant to resolutions 1267 (1999), 1989 (2011) and 2253 (2015) concerning Islamic State in Iraq and the Levant (Da'esh), Al-Qaida and associated individuals, groups, undertakings and entities and the Security Council Committee established pursuant to resolution 1373 (2001) or alone, at least twice a year, and continue to brief Member States and international, regional and subregional organizations, formally and informally, about the work of the Committee and the obligations and requirements under resolution 1540 (2004).

IV. Administration and resources

12. The Committee will also consider issues relating to administration and resources. Among other things, it will:

(a) Continue its good cooperation with the Office for Disarmament Affairs to strengthen the regional capacity of the Office to provide support for the implementation of resolution 1540 (2004);

(b) Continue to conduct regular meetings of the Committee and its working groups, and, as necessary, additional meetings with relevant parties to further the mandate of resolution 1540 (2004), including meetings that may require participation from capitals on topics of high priority;

(c) Encourage States and international, regional and subregional organizations, as appropriate, to support the work of the Committee and its programmes;

(d) Continue to encourage and take full advantage of voluntary financial contributions to assist States in identifying and addressing their needs with regard to the implementation of resolution 1540 (2004), and, at the Committee's discretion, promote the efficient and effective use of the existing funding mechanisms within the United Nations system;

(e) Continue to make efficient use of the expertise of its group of experts and consider ways of strengthening capabilities and effectiveness with regard to support for the Committee's work;

(f) Continue its efforts to ease the transition of new non-permanent members to the Committee, including by making relevant documentation available and providing appropriate briefings, and maintain the network of non-permanent members leaving the Committee to provide support for implementation of resolution 1540 (2004);

(g) On all aspects of the Committee's work, consider what methodologies may be appropriate to produce quantitative measures of success within the terms of resolutions 1540 (2004), 1673 (2006), 1810 (2008), and 1977 (2011), including by examining options for technical support to allow better acquisition, storage, retrieval, analysis and display of data and facilitate reporting through electronic tools.

Enclosure

2016 comprehensive review of the status of implementation of resolution 1540 (2004)

Modalities paper

Scope

1. In paragraph 3 of its resolution 1977 (2011), the Security Council decided that the Security Council Committee established pursuant to resolution 1540 (2004) was to conduct a comprehensive review on the status of implementation of resolution 1540 (2004), both after five years and prior to the renewal of its mandate, including, if necessary, recommendations on adjustments to the mandate, and that it was to submit to the Council a report on the conclusions of those reviews. It also decided that the first review was to be held before December 2016.

2. The review should be both retrospective and forward-looking. It should draw on an analysis of the implementation of resolution 1540 (2004) since the 2009 review, with a view to improving implementation by Member States, by identifying and recommending specific, practical and appropriate actions to that end, and analyse the operation of the Committee in the conduct of its tasks and recommend any changes considered necessary. Any recommendations should take full account of the rapidly changing scientific, technological and commercial environment in which the resolution is being implemented.

Methodology

Oversight

3. Under the leadership of the Chair, the Committee will oversee the conduct of the review using its current structure, adjusted as needed for particular elements of the review process.

Final report

4. The final report should be based on information at the disposal of the Committee, including through its approved matrices and relevant information and input from Member States and related intergovernmental and regional and subregional organizations. The report should be analytical in nature, identifying gaps in the implementation of the resolution, focusing on identified themes and, where appropriate, making specific recommendations.

Themes

5. The Committee will consider the themes to form strands of work for its four working groups as follows:

(a) Working group 1 will:

(i) Using currently available data, analyse the status of implementation of the resolution by States, identifying the key trends in implementation since the 2009 review, including gaps in implementation and, as far as practicable, the reasons therefor;

(ii) Identify shortcomings in the current system of data collection, storage, retrieval, presentation and analysis, including in reporting by States and sharing of effective practices, and identify possible new approaches, including improving the use of information collected by relevant international and regional organizations, and, on the basis of that analysis, recommend ways to enhance the capacity to maintain, update, retrieve, present and analyse the data, including identifying the core data needed to assess the implementation of the resolution;

(iii) Drawing on experience acquired during direct interaction with States, recommend appropriate ways to intensify and promote such interaction;

(b) Working group 2 will:

(i) Drawing on the experience in operating the assistance mechanism for resolution 1540 (2004) since 2009, analyse the Committee's role in facilitating "matchmaking" and recommend improvements to bring about the prompt delivery of assistance;

(ii) Seek ways to support States to better understand the assistance mechanism to identify needs and priorities, to prepare well-developed assistance requests and to enhance collaboration with potential providers on an individual or, possibly, a regional basis;

(c) Working group 3 will:

(i) Analyse the Committee's collaboration with international and regional organizations since 2009;

(ii) On the basis of the analysis, seek improved ways of enhancing collaboration with directly related international, regional and subregional organizations and other United Nations bodies;

(iii) With regard to regional organizations, identify better ways in which they can support the building of networks of points of contact, encourage reporting to the Committee and develop opportunities for the Committee to directly interact with States;

(d) Working group 4 will:

(i) Examine the Committee's outreach to States and civil society, including academia, industry, professional associations and parliamentarians, since 2009;

(ii) Recommend how best to improve outreach to those sectors, including through publications and electronic means, and, as appropriate, the use of social media and the building of a resolution 1540 (2004) network including, as appropriate, civil society;

(iii) Identify ways to improve feedback to the Committee from civil society and industry on the implementation of the resolution, including on effective public-private partnership practices to strengthen national implementation.

6. The outcome of the consideration of the four themes will require an examination of the current structure and methods for supporting the Committee in the execution of its tasks and to recommend any improvements needed. Pursuant to paragraph 3 of resolution 1977 (2011), the Committee will also need to consider

whether any adjustments to its mandate are necessary. In that context, and where relevant, the Committee will consider and recommend any improvements needed to the organizational arrangements that support it in its oversight of the implementation of the resolution.

7. Early on in their deliberations, and under the guidance of their respective coordinators, the working groups should consider how best to engage with Member States, international organizations and civil society in the consideration of their respective themes. If workshops are deemed necessary, early decisions are required as to where and when they will be needed, as is any necessary coordination between the working groups in that regard. A programme of work for each working group should be developed and approved by the Committee in accordance with the schedule below.

8. As the review proceeds, a schedule of outreach events should be developed in order to engage with Member States, international, regional and subregional organizations and civil society. The schedule should take account of existing planned events and any dedicated events that the Committee considers necessary drawing on the advice of the working group coordinators.

9. The requirement to deliver the report on the review to the Security Council no later than 30 November 2016 means that the first draft should be under consideration by the Committee by 1 September 2016. At a minimum, the report should include key points identified through the mechanisms noted in paragraphs 5 to 8.

Schedule

10. The review will be conducted in accordance with the following schedule:

(a) By 12 June 2015 the workplans for each of the themes will be submitted to the Committee for approval;

(b) By 30 June 2015 a detailed workplan will be agreed upon by the Committee for each of the themes, including a plan for workshops and any other outreach activities to Member States, international organizations and civil society considered necessary;

(c) In June 2016 the Committee will conduct a formal open review meeting with Member States in New York, together with meetings with international organizations and appropriate sectors of civil society;

(d) By 1 September 2016 the first draft of the report on the review will be ready for consideration by the Committee;

(e) By 31 October 2016 the report will be ready for submission to the Security Council.